

## **REMARKS**

### ***Introduction***

Claims 1 – 59 are pending, with claims 1, 13, 32, 49 and 56 being independent.

### ***Claim Rejections - 35 U.S.C. § 103***

Claims 1 – 59 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,006,097 to Hornfeldt et. al (hereinafter "Hornfeldt") in view of U.S. Patent No. 6,028,537 to Suman et al. (hereinafter "Suman"), and further in view of U.S. Patent Application Publication No. 2002/0021187 to Stenberg (hereinafter "Stenberg"), and further in view of U.S. Patent No. 5,510,801 to Engelbrecht et al. (hereinafter "Engelbrecht").

Based on the following remarks, Applicant respectfully requests that the rejection be reconsidered and withdrawn. In order to establish a prima facie case of obviousness under 35 U.S.C. § 103, each and every element of the claimed invention must be disclosed in the combination of art applied. Because at least one element of Applicant's claimed invention is not disclosed in the combination of applied art, Applicant respectfully submits that no prima facie case of obviousness under 35 U.S.C. § 103 has been established. In particular, the applied documents fail to disclose the following element recited in each of Applicant's independent claims:

wherein each of the pseudo-ranges represents a difference between a time of transmission from the respective DTV transmitter of a component of the respective DTV signal and a time of reception at the device of the component, as well as a clock offset of the device

In particular, each of Applicant's independent claims requires the use of a clock offset of the device for which the location is being determined. To teach this element, the Examiner relies upon Engelbrecht. Engelbrecht appears to disclose a TV Location Determination System for determining locations of mobile units based on signals transmitted by TV stations. The system includes a Reference Receiver that receives signals from the TV stations, and determines the

time offset and rate of drift for each station (col. 5, lines 59 – 62). Nowhere does Engelbrecht teach or suggest the use of a clock offset of the mobile unit for which the location is being determined.

Hornfeldt, Suman and Stenberg do nothing to remedy the defects listed above. Accordingly, Applicant respectfully submits that independent claims 1, 13, 32, 49 and 56 are patentable over the cited art, considered alone or in combination. The above arguments apply to each of the dependent claims as well.

### ***Conclusion***

Applicant submits that all of the claims are now in condition for allowance, which action is requested. However, should there remain unresolved issues that require action, it is respectfully requested that the Examiner telephone Richard A. Dunning, Jr., Applicant's Attorney, at 831.420.0561 so that such issues may be resolved as expeditiously as possible.

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Respectfully submitted,

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